

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ALLSTATE INSURANCE COMPANY, et al.,

Plaintiffs,

- v -

MARK MIRVIS, et al.,

Defendants.
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ORDER

CV-08-4405 (SLT)(VVP)

As the court has resolved all but one of the discovery disputes that have arisen concerning the document requests and interrogatories that the parties have served on one another, the court enters the following order concerning the production of documents and service of supplementary responses to interrogatories:

1. With the exception of claims files to be produced by the plaintiffs and patient files to be produced by the defendants, all documents which the parties have agreed to produce, or which by court order they are required to produce, shall be produced for inspection and copying no later than August 31, 2010;
2. As to claims files and patient files, the parties are expected to begin production of such files promptly on a rolling basis and will be required to advise the court at the next conference on September 30 as to how many such files they have produced to that point and the date by which they expect to complete production;

3. Supplemental responses to any interrogatories that the parties have agreed to make, or which by court order they are required to make, shall be served no later than August 31, 2010.

Given the substantial time being allowed for the completion of the above discovery obligations, the court will not afford any extensions of the above deadlines without a showing that the party seeking additional time has made all reasonable efforts to comply with the deadline but was unable to do so because of circumstances beyond their control. Failure to comply with the above deadlines will result in appropriate discovery sanctions under Rules 16 and 37 of the Federal Rules of Civil Procedure including the preclusion of claims and defenses and the award of attorneys' fees and costs.

SO ORDERED:

Viktor V. Pohorelsky

VIKTOR V. POHORELSKY

United States Magistrate Judge

Dated: Brooklyn, New York
June 24, 2010